

## **Assembly Bill No. 680**

### **CHAPTER 438**

An act to amend Section 32281 of the Education Code, relating to pupil safety.

[Approved by Governor October 3, 2011. Filed with  
Secretary of State October 3, 2011.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 680, Block. Pupil safety: comprehensive school safety plans.

Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for each of their constituent schools. Existing law requires the schoolsite council of a school to write and develop a comprehensive school safety plan relevant to the needs and resources of the particular school. Existing law requires a schoolsite council or school safety planning committee, before adopting a comprehensive school safety plan, to hold a public meeting at the schoolsite, as specified. Existing law requires schools to forward copies of their comprehensive school safety plans to the school district or county office of education for approval. Existing law requires school districts and county offices of education annually to notify the State Department of Education regarding schools that fail to adopt a comprehensive school safety plan.

This bill would authorize school districts and county offices of education, in consultation with law enforcement officials, to elect not to have their schoolsite councils develop and write those portions of their comprehensive school safety plans that include tactical responses to criminal incidents, as defined, that may result in death or serious bodily injury at the schoolsite. The bill would authorize school district and county office of education administrators to develop those portions of a comprehensive school safety plan that include tactical responses to criminal incidents, in consultation with law enforcement officials and representatives of exclusive bargaining units of employees of that school district or county office of education, and to elect not to disclose these portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

The bill would specify that it would not preclude the governing board of a school district or county office of education from conferring in a closed session with law enforcement officials to approve a tactical response plan developed in consultation with those officials pursuant to the bill.

*The people of the State of California do enact as follows:*

SECTION 1. Section 32281 of the Education Code is amended to read:

32281. (a) Each school district and county office of education is responsible for the overall development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.

(b) (1) Except as provided in subdivision (d) with regard to a small school district, the schoolsite council established pursuant to former Section 52012, as it existed before July 1, 2005, or Section 52852 shall write and develop a comprehensive school safety plan relevant to the needs and resources of that particular school.

(2) The schoolsite council may delegate this responsibility to a school safety planning committee made up of the following members:

(A) The principal or the principal's designee.

(B) One teacher who is a representative of the recognized certificated employee organization.

(C) One parent whose child attends the school.

(D) One classified employee who is a representative of the recognized classified employee organization.

(E) Other members, if desired.

(3) The schoolsite council shall consult with a representative from a law enforcement agency in the writing and development of the comprehensive school safety plan.

(4) In the absence of a schoolsite council, the members specified in paragraph (2) shall serve as the school safety planning committee.

(c) Nothing in this article shall limit or take away the authority of school boards as guaranteed under this code.

(d) (1) Subdivision (b) shall not apply to a small school district, as defined in paragraph (2), if the small school district develops a districtwide comprehensive school safety plan that is applicable to each schoolsite.

(2) As used in this article, "small school district" means a school district that has fewer than 2,501 units of average daily attendance at the beginning of each fiscal year.

(e) (1) When a principal or his or her designee verifies through local law enforcement officials that a report has been filed of the occurrence of a violent crime on the schoolsite of an elementary or secondary school at which he or she is the principal, the principal or the principal's designee may send to each pupil's parent or legal guardian and each school employee a written notice of the occurrence and general nature of the crime. If the principal or his or her designee chooses to send the written notice, the Legislature encourages the notice be sent no later than the end of business on the second regular work day after the verification. If, at the time of verification, local law enforcement officials determine that notification of the violent crime would hinder an ongoing investigation, the notification authorized by this subdivision shall be made within a reasonable period of time, to be determined by the local law enforcement agency and the school

district. For purposes of this section, an act that is considered a “violent crime” shall meet the definition of Section 67381 and be an act for which a pupil could or would be expelled pursuant to Section 48915.

(2) Nothing in this subdivision shall create any liability in a school district or its employees for complying with paragraph (1).

(f) (1) Notwithstanding subdivision (b), a school district or county office of education may, in consultation with law enforcement officials, elect to not have its schoolsite council develop and write those portions of its comprehensive school safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury at the schoolsite. The portions of a school safety plan that include tactical responses to criminal incidents may be developed by administrators of the school district or county office of education in consultation with law enforcement officials and with a representative of an exclusive bargaining unit of employees of that school district or county office of education, if he or she chooses to participate. The school district or county office of education may elect not to disclose those portions of the comprehensive school safety plan that include tactical responses to criminal incidents.

(2) As used in this article, “tactical responses to criminal incidents” means steps taken to safeguard pupils and staff, to secure the affected school premises, and to apprehend the criminal perpetrator or perpetrators.

(3) Nothing in this subdivision precludes the governing board of a school district or county office of education from conferring in a closed session with law enforcement officials pursuant to Section 54957 of the Government Code to approve a tactical response plan developed in consultation with those officials pursuant to this subdivision. Any vote to approve the tactical response plan shall be announced in open session following the closed session.

(4) Nothing in this subdivision shall be construed to reduce or eliminate the requirements of Section 32282.